



SYNOPSIS

Senate Bills and Joint Resolutions 2016 Maryland General Assembly Session

**February 1, 2016
Schedule 13**

PLEASE NOTE: February 5 – Bill introduction deadline.

All bills should be given to the Secretary of the Senate's office by 5:00 P.M. on Monday, February 8.

As required by Senate Rule 32(b), bills introduced after this date will be referred to the Senate Rules Committee.

SENATE BILLS INTRODUCED February 1, 2016

SB 417 **Senator Kelley, et al**

**LABOR AND EMPLOYMENT – MINIMUM WAGE – INDIVIDUALS
WITH DISABILITIES (KEN CAPONE EQUAL EMPLOYMENT ACT)**

Prohibiting the Commissioner of Labor and Industry, except under specified circumstances, from authorizing work activities centers and specified sheltered workshops to pay employees with disabilities less than a specified minimum wage; requiring a State certificate issued by the Commissioner under a specified provisions or law to expire no later than October 1, 2019; etc.

VARIOUS EFFECTIVE DATES

LE, § 3-414 - amended, LE, § 3-414.1 and SF, § 2-801 - added, and LE, §§ 3-414 and 3-414.1 - repealed

Assigned to: Finance

Department of Legislative Services

90 State Circle, Annapolis, Maryland 21401–1991

Baltimore Area: 410–946–5400 — Washington Area: 301–970–5400

Other Maryland Areas: 1–800–492–7122 — Maryland Relay Service: 1–800–735–2258

SB 418 Senator Young, et al**RICHARD E. ISRAEL AND ROGER “PIP” MOYER END-OF-LIFE OPTION ACT**

Authorizing an individual to request aid in dying by making specified requests; prohibiting another individual from requesting aid in dying on behalf of an individual; requiring a written request for aid in dying to meet specified requirements; establishing requirements for witnesses to a written request for aid in dying; requiring a written request for aid in dying to be in a specified form; requiring an attending physician who receives a written request for aid in dying to make a specified determination; etc.

EFFECTIVE OCTOBER 1, 2016

CR, § 3-103 - amended and HG, §§ 5-6A-01 through 5-6A-16 and IN, § 27-208.1 - added

Assigned to: Judicial Proceedings

SB 419 Senator Simonaire**CREATION OF A STATE DEBT – ANNE ARUNDEL COUNTY – DOWNS PARK AMPHITHEATER**

Authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the County Executive and County Council of Anne Arundel County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Downs Park Amphitheater, located in Anne Arundel County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2016

Assigned to: Budget and Taxation

SB 420 Senator Simonaire**ELECTION LAW – BALLOT ISSUES – CONTRIBUTIONS OR DONATIONS BY FOREIGN NATIONALS**

Prohibiting a foreign national or a business entity owned by a foreign national from making a contribution to a ballot issue committee or making a donation to a person that makes independent expenditures or electioneering communications relating to a ballot issue; and defining a specified term.

EFFECTIVE OCTOBER 1, 2016

EL, § 13-236.1 - added

Assigned to: Education, Health, and Environmental Affairs

SB 421 Senator Ramirez, et al**SPECIAL EDUCATION – TRANSLATIONS OF INDIVIDUALIZED EDUCATION PROGRAMS OR INDIVIDUALIZED FAMILY SERVICE PLANS – NATIVE LANGUAGE**

Authorizing the parents of a child with a completed individualized education program or a completed individualized family service plan to request the document to be translated into the parents' native language if that language is spoken by more than 1 percent of the student population in the local school system; requiring appropriate school personnel to provide a parent with a translated document within 30 days after the date of the request; and defining specified terms.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2016

ED, § 8-405 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 422 Senator Kasemeyer**EDUCATION – MARYLAND SCHOOL FOR THE BLIND – FUNDING**

Requiring teachers and professional personnel at the Maryland School for the Blind to be paid an annual salary at least equal to a specified amount paid in Baltimore County to specified personnel; requiring the Governor to appropriate \$1,000,000 for residential services; adding to a specified calculation one-half of the average number of children served by the School for the Blind for the Blind's Outreach Program; etc.

Preliminary analysis: local government mandate

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE JULY 1, 2016

ED, Various Sections - amended and repealed and §§ 8-3A-01 through 8-3A-11 - added

Assigned to: Budget and Taxation

SB 423 Senator Norman, et al**MOTOR VEHICLES – DRIVER EDUCATION PROGRAM CURRICULUM – POLICE TRAFFIC STOP PROCEDURES**

Requiring the Motor Vehicle Administration to adopt regulations requiring that classroom instruction for the driver education program include instruction on what to do when stopped by a police officer.

EFFECTIVE OCTOBER 1, 2016

TR, § 16-505 - amended

Assigned to: Judicial Proceedings

SB 424 Senators Kagan and Jennings**EMERGENCY NUMBER SYSTEMS BOARD – 9–1–1 TRUST FUND –
PLANNING COSTS**

Authorizing the Emergency Number Systems Board to use the 9–1–1 Trust Fund to pay for specified costs of establishing specified planning guidelines for enhanced 9–1–1 system plans; and providing for the prospective application of the Act.

EFFECTIVE JULY 1, 2016

PS, § 1-308 - amended

Assigned to: Finance

SB 425 Senator Reilly**MARYLAND INCOME TAX REFUNDS – WARRANT INTERCEPT
PROGRAM – STATEWIDE**

Authorizing specified counties to participate in a specified income tax refund withholding program related to individuals with outstanding warrants if the sheriff of the county notifies the Comptroller of the county's intention to participate on or before December 31 of the first taxable year for which the county intends to participate; etc.

VARIOUS EFFECTIVE DATES

TG, § 13-936, Chapter 451 of the Acts of 2012, § 3, as amended, and Chapter 213 of the Acts of 2013, § 3 - amended

Assigned to: Budget and Taxation

SB 426 Senator Astle**MARYLAND EMERGENCY MANAGEMENT ASSISTANCE COMPACT
– CITY OF ANNAPOLIS**

Authorizing the City of Annapolis to participate in the Maryland Emergency Management Assistance Compact, the purpose of which is to provide for mutual assistance between the jurisdictions in managing an emergency.

EFFECTIVE OCTOBER 1, 2016

PS, § 14-801(e) - amended

Assigned to: Education, Health, and Environmental Affairs

SB 427 Senator Pinsky, et al**HIGHER EDUCATION – INSTITUTIONS OF POSTSECONDARY EDUCATION – CONSUMER PROTECTION PROVISIONS**

Prohibiting a private career school from enrolling a student in a program that is intended to lead to employment in a field that requires licensure in the State if successful completion of the educational course offerings in the program at the school will not meet the State educational requirements for licensure, the school does not hold appropriate accreditation, or the school is aware of any other characteristics that would lead to the ineligibility of the student; etc.

EFFECTIVE OCTOBER 1, 2016

CL, § 13-320 - added and ED, §§ 11-203(d) and (e) and 15-118 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 428 Senators Pinsky and Raskin**PUBLIC FUNDING AND SMALL DONOR ACT FOR GENERAL ASSEMBLY ELECTIONS**

Establishing a system of public financing of campaigns for specified General Assembly candidates; requiring the State Board of Elections to administer the system; requiring the Comptroller to credit to the Fair Campaign Financing Fund money collected under specified provisions of the Act and to distribute public contributions to the campaign finance entities of specified candidates; specifying procedures, requirements, and conditions participating candidates must meet to receive a distribution from the Fund; etc.

EFFECTIVE JUNE 1, 2016

EL, § 15-106 - repealed, §§ 13-235 and 15-103 - amended, and §§ 15.5-101 through 15.5-118 - added

Assigned to: Education, Health, and Environmental Affairs

SB 429 Senator Pugh, et al**ECONOMIC COMPETITIVENESS AND COMMERCE – MARYLAND DESIGN EXCELLENCE COMMISSION**

Establishing the Maryland Design Excellence Commission; establishing that the Commission is in the Maryland Technology Development Corporation; requiring the Commission to study, develop specified plans and programs, and establish specified events regarding design excellence initiatives; requiring the Commission to report its findings, recommendations, and actions taken to the General Assembly on or before December 31 each year; etc.

EFFECTIVE OCTOBER 1, 2016

EC, §§ 10-4A-01 through 10-4A-03 - added

Assigned to: Finance

SB 430 Senators Bates and Salling**GUARDIANSHIP OF A DISABLED PERSON – COMMUNICATION AND NOTIFICATION RIGHTS**

Prohibiting a guardian of the person of a disabled person from prohibiting or restricting communication between the disabled person and a member of the disabled person's family, except as authorized by a specified court order; authorizing an individual other than a member of a disabled person's family to file a specified petition for an order to compel visitation with the disabled person; requiring a guardian to notify specified individuals within 24 hours of specified circumstances related to the disabled person; etc.

EFFECTIVE OCTOBER 1, 2016

ET, §§ 13-708.1 through 13-708.3 - added

Assigned to: Judicial Proceedings

SB 431 Senator Edwards**ALLEGANY COUNTY AND GARRETT COUNTY – ANNUAL FINANCIAL REPORTS – FILING DATE**

Providing the date by which Allegany County and Garrett County are required to file annual financial reports with the Department of Legislative Services is on or before December 31 after the close of the county's fiscal year.

EFFECTIVE OCTOBER 1, 2016

LG, § 16-304 - amended

Assigned to: Education, Health, and Environmental Affairs

SB 432 Senator Pinsky, et al**BUSINESS RELIEF AND TAX FAIRNESS ACT OF 2016**

Prohibiting the State Department of Assessments and Taxation from imposing a fee for the filing of specified documents by corporations or business entities with 10 or fewer employees; requiring specified corporations to compute Maryland taxable income using a specified combined reporting method; requiring, subject to specified regulations, specified groups of corporations to file a combined income tax return reflecting the aggregate income tax liability of all the members of the group; etc.

EFFECTIVE JULY 1, 2016

CA, § 1-203(b)(3)(ii) and TG, § 10-811 - amended and TG, §§ 10-402.1 and 10-402.2 - added

Assigned to: Budget and Taxation

SB 433 Senator Nathan–Pulliam, et al**CORRECTIONAL SERVICES – SPECIAL REQUIREMENTS FOR ELDERLY, CHRONICALLY ILL, AND TERMINALLY ILL INMATES**

Requiring each State and local correctional facility to accommodate the special needs of elderly, chronically ill, and terminally ill inmates and detainees in accordance with standards, guidelines, and recommendations issued or endorsed by the National Institute of Corrections; requiring the Department of Public Safety and Correctional Services to designate certain sites for the housing of inmates who are over the age of 64, chronically ill, or terminally ill; etc.

EFFECTIVE OCTOBER 1, 2016

CS, §§ 7-309.1, 9-614, and 10-802 - added

Assigned to: Judicial Proceedings

SB 434 Senator Raskin, et al**FOOD SERVICE FACILITIES – AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM**

Requiring the owner and operator of a food service facility with an annual gross income of \$400,000 or more and a seating capacity of 50 or more persons to develop and implement an automated external defibrillator program that meets specified requirements; and requiring the Department of Health and Mental Hygiene and the Maryland Institute for Emergency Medical Services Systems jointly to adopt specified regulations.

EFFECTIVE OCTOBER 1, 2016

HG, § 21-330.3 - added

Assigned to: Finance

SB 435 Senator Norman, et al**BUSINESS REGULATION – STATE AND HARFORD COUNTY JUKE BOX LICENSES – REPEAL**

Repealing specified provisions of law relating to licenses for keeping juke boxes for public entertainment in the State and in Harford County.

EFFECTIVE OCTOBER 1, 2016

BR, §§ 17-1301 through 17-1318 - repealed

Assigned to: Finance

SB 436 **Senators Feldman and Hershey****INSURANCE – SURPLUS LINES – SHORT-TERM MEDICAL INSURANCE**

Altering the scope of provisions of law governing surplus lines insurance to authorize the use of surplus lines insurance for short-term medical insurance coverage; authorizing the procurement of short-term medical insurance from a nonadmitted insurer under specified circumstances; specifying the conditions under which short-term medical insurance may be procured from a nonadmitted insurer; applying the Act to specified policies and contracts issued, delivered, or renewed in the State on or after October 1, 2016; etc.

EFFECTIVE OCTOBER 1, 2016

IN, §§ 3-302 and 3-306.2 - amended

Assigned to: Finance

SB 437 **Senator Lee, et al****CRIMINAL LAW – COMMITTING A CRIME OF VIOLENCE IN THE PRESENCE OF A MINOR – REPEAL OF RESIDENCE REQUIREMENT**

Repealing the requirement that the crime be committed in a residence to convict a person of violating the prohibition against committing a crime of violence when the person knows or reasonably should know that a minor who is at least 2 years old is present; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2016

CR, § 3-601.1 - amended

Assigned to: Judicial Proceedings

SB 438 **Senator Lee****CREATION OF A STATE DEBT – MONTGOMERY COUNTY – JEWISH COMMUNITY CENTER OF GREATER WASHINGTON CHILDREN'S PLAYGROUND**

Authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Jewish Community Center of Greater Washington, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a children's playground, located in Montgomery County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2016

Assigned to: Budget and Taxation

SB 439 Senator Lee**CORRECTIONAL TRAINING COMMISSION – DEPARTMENT OF JUVENILE SERVICES EMPLOYEES – REVOCATION OF CERTIFICATION AND REINSTATEMENT**

Authorizing the Correctional Training Commission to revoke the certification of a Department of Juvenile Services employee in conjunction with specified disciplinary actions; authorizing the court to reinstate the certification of a correctional officer with no further examination or condition under specified circumstances; and authorizing the Office of Administrative Hearings to reinstate the certification of a Department of Juvenile Services employee with no further examination or condition under specified circumstances.

EFFECTIVE OCTOBER 1, 2016

CS, § 8-209.2 - amended

Assigned to: Judicial Proceedings

SB 440 Senator Ready**PREVAILING WAGE – APPLICATION TO CAREER AND TECHNOLOGY CENTERS OR STEM AND STEAM CLASSROOMS**

Providing that the provisions of the prevailing wage law do not apply to a public work contract or part of a public work contract for the construction or renovation of a career and technology center or for school classroom space to be used for science, technology, engineering, mathematics (STEM) or science, technology, engineering, art, mathematics (STEAM) education.

EFFECTIVE JULY 1, 2016

SF, § 17-202(b) - amended

Assigned to: Finance

SB 441 Senator Klausmeier**STATE BOARD OF PHYSICIANS – ADMISSIBILITY OF BOARD RECORDS – WORKERS' COMPENSATION COMMISSION**

Providing that a specified provision of law relating to the admissibility of State Board of Physicians proceedings, records, files, and orders in civil and criminal actions does not apply to any proceeding before the Workers' Compensation Commission or any proceeding related to an appeal of a decision of the Commission to a circuit court.

EFFECTIVE OCTOBER 1, 2016

HO, § 14-410 - amended

Assigned to: Finance

SB 442 Senator Manno, et al**GENERAL PROVISIONS – COMMEMORATIVE DAYS – NATIONAL HEALTHCARE DECISIONS DAY**

Requiring the Governor annually to proclaim April 16 as National Healthcare Decisions Day.

EFFECTIVE OCTOBER 1, 2016

GP, § 7-405 - added

Assigned to: Education, Health, and Environmental Affairs

SB 443 Senator Manno**CREATION OF A STATE DEBT – MONTGOMERY COUNTY – HOMECREST HOUSE**

Authorizing the creation of a State Debt not to exceed \$120,000, the proceeds to be used as a grant to the Board of Directors of the National Capital B'nai B'rith Housing Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Homecrest House, located in Montgomery County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2016

Assigned to: Budget and Taxation

SB 444 Senator Manno**CREATION OF A STATE DEBT – MONTGOMERY COUNTY – MELVIN J. BERMAN HEBREW ACADEMY**

Authorizing the creation of a State Debt in the amount of \$100,000, the proceeds to be used as a grant to the Board of Directors of the Melvin J. Berman Hebrew Academy for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Melvin J. Berman Hebrew Academy, located in Montgomery County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2016

Assigned to: Budget and Taxation

SENATE JOINT RESOLUTION INTRODUCED February 1, 2016**SJ 2 Senator Pinsky, et al****UNITED STATES CONSTITUTION – AMENDMENTS CONVENTION –
DEMOCRACY AMENDMENT**

Applying to the U.S. Congress for an amendments convention called under Article V of the U.S. Constitution, on the application of the legislatures of two-thirds of the several states, to propose an amendment to the U.S. Constitution that affirms every citizen's individual right to vote, reserves inalienable political rights to natural persons, and authorizes regulation of contributions and expenditures intended to influence elections.

Assigned to: Education, Health, and Environmental Affairs

SENATE BILLS REASSIGNED January 29, 2016**SB 380 The President (By Request – Administration), et al****GENERAL ASSEMBLY AND CONGRESSIONAL LEGISLATIVE
REDISTRICTING AND APPORTIONMENT COMMISSION**

Creating the General Assembly and Congressional Redistricting and Apportionment Commission; requiring the Commission to divide the State to create General Assembly and congressional districts, as specified; providing for the membership, qualifications, and duties of the Commission; specifying requirements for the adoption of redistricting plans; requiring the Legislative Auditor to establish and administer an application process for individuals seeking appointment to the Commission; etc.

This bill requires a mandated appropriation in the annual budget bill.

CONTINGENT – EFFECTIVE JUNE 1, 2016

Maryland Constitution, Art. III, § 5 - repealed and added and EL, §§ 8-7A-01 through 8-7A-14 - added

Reassigned to: Education, Health, and Environmental Affairs

SB 406 Senator Guzzone**PUBLIC SAFETY – MARYLAND FREESTATE CHALLENGE ACADEMY
– FUNDING**

Requiring the Governor to appropriate general funds to the Maryland Freestate Challenge Academy in an amount equal to 25% of a specified target per pupil foundation amount for specified cadets beginning in fiscal year 2018; requiring a county board of education to reimburse a specified fund a specified amount for specified cadets; requiring the Comptroller, in consultation with the Military Department and the State Department of Education, to establish a specified process; etc.

Preliminary analysis: local government mandate

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE JULY 1, 2016

PS, § 13-410 - added

Reassigned to: Budget and Taxation

SB 407 Senator Manno, et al**EDUCATION – EDUCATION ACCOUNTABILITY PROGRAM – LIMITS
ON TESTING**

Requiring the State Board of Education to adopt regulations limiting the amount of time in the aggregate that may be devoted to federal, State, and locally mandated tests for each grade to 2% of the specified minimum required annual instructional hours; and prohibiting time devoted to teacher-selected classroom quizzes and exams, portfolio reviews, or performance assessments from being counted toward the specified testing time limits.

EFFECTIVE JULY 1, 2016

ED, § 7-203(h) - added

Reassigned to: Education, Health, and Environmental Affairs